

**R E M A R K S**

Careful review and examination of the subject application are noted and appreciated.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103**

The rejection of claims 1-3, 8-11, 16-21, 26-29, 32-36, 39-44, 49-54 and 59 under 35 U.S.C. §103(a) as being unpatentable over Beckers (U.S. Pat. No. 5,019,974) has been obviated by appropriate amendment and should be withdrawn.

The rejection of claims 4-7, 12-15, 22-25, 30, 31, 37, 38, 45-48, and 55-58 under 35 U.S.C. §103(a) as being unpatentable over Beckers (U.S. Pat. No. 5,019,974) in view of Reference U is respectfully traversed and should be withdrawn.

In contrast, claim 1 of the present invention provides a blood glucose monitoring system, comprising a blood glucose monitor for monitoring a blood glucose level and for producing digitally encoded blood glucose level signals representative of said blood glucose level, a portable microprocessor-based device that is separate from the blood glucose monitor and includes 1) a video display for displaying information, the video display configured to display graphic and alphanumeric information, 2) a plurality of switches operable for interactively controlling the portable microprocessor-based device and for manipulating the information displayed on the video display, and 3) a circuit coupled to the

plurality of switches for generating video signals in response to the operation of the switches. Claims 17, 28 and 40 include similar limitations. Beckers does not disclose or suggest a portable microprocessor-based device, as presently claimed.

Specifically, the blood glucose test strip reader 60 of Beckers is not separate from the recorder of Beckers (device in FIG. 1 of Beckers). In particular, FIG. 1 of Beckers shows the element 60 as part of the recorder. Beckers does not disclose or suggest a programmable microprocessor-based portable unit that is separate from the blood glucose monitor and includes 1) a video display for displaying information, the video display configured to display graphic and alphanumeric information, 2) a plurality of switches operable for interactively controlling the programmable microprocessor-based portable unit and for manipulating the information displayed on the video display, and 3) a circuit coupled to the plurality of switches for generating video signals in response to the operation of the switches, as presently claimed.

In a related case in which Beckers was cited for a similar reason (see 90/008,234), a similar amendment overcame the rejection based on Beckers. A Reexamination Panel agreed that Beckers did not disclose or suggest a microprocessor-based unit, including 1) a video display for displaying information, 2) a plurality of switches operable for interactively controlling the portable microprocessor-based device and for manipulating the

information displayed on the video display, and 3) circuit means coupled to the plurality of switches for generating video signals in response to the operation of the switches, that was separate from a monitoring means, as similarly recited in the presently pending claims. The interface unit in FIG. 9 of Beckers also does not appear to have all the elements of the presently claimed portable microprocessor-based unit. As such, the presently claimed invention is fully patentable over the cited reference and the rejection should be withdrawn.

Claims 2-16, 18-27, 29-39 and 41-59 depend, directly or indirectly, from either claim 1, claim 17, claim 28 or claim 40 which are believed to be allowable. As such, the presently claimed invention is fully patentable over the cited references and the rejection should be withdrawn.

Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit  
Account No. 50-0541.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.

Christopher P. Maiorana  
Registration No. 42,829

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c/o Sandeep Jaggi  
Health Hero Network

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